

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STANLEY G. SIMONSON and REBECCA I.  
SIMONSON, husband and wife,

Plaintiffs,

v.

M/V LUCKY BUCK, Official Number  
567411, her engines, machinery, equipment,  
tackle, appurtenances, etc., in rem; M/V  
SPEEDWELL, Official Number 594754, her  
engines, machinery, equipment, tackle,  
appurtenances, etc., in rem; WILLIAM R.  
ORR and JANE DOE ORR, husband and wife  
and their marital community comprised  
thereof; JOHN KELLEY and JANE DOE  
KELLEY, husband and wife and their marital  
community comprised thereof; GREGORY  
THOMAS and JANE DOE THOMAS,  
husband and wife and their marital community  
comprised thereof; TKO FISHERIES  
LIMITED, a Washington corporation,

Defendants.

**IN ADMIRALTY**

No. 2:17-cv-01724 RAJ

**STIPULATION AND ORDER TO  
RELEASE VESSEL FROM ARREST  
AND TO DISMISS CASE**

**STIPULATION**

At Dkt. 30, the Court entered an order of default barring the claims of all persons,  
excepting the record owner, claimant Signature Seafoods, Inc., against the vessel M/V  
LUCKY BUCK, Official Number 567411. Dkt. No. 30. Subsequently, the Court entered a

*STIPULATION AND ORDER TO RELEASE VESSEL  
FROM ARREST AND TO DISMISS CASE  
(2:17-CV-01724 RAJ) - 1*

**HILLIS CLARK MARTIN & PETERSON P.S.**  
999 Third Avenue, Suite 4600  
Seattle, WA 98104  
Tel: (206) 623-1745

1 Stipulated Judgment and Order of Foreclosure directing the United States Marshal to cause  
2 the M/V LUCKY BUCK to be sold at public auction. Dkt. 33. That sale has not yet occurred  
3 and, in the meantime, the parties to this case have reached a settlement of all claims in this  
4 lawsuit. The settlement involves, in part, the private sale of the M/V LUCKY BUCK to a  
5 non-party. Accordingly, the parties, through undersigned counsel, hereby stipulate and agree  
6 that, to facilitate the sale of the M/V LUCKY BUCK free and clear of all claims, (i) the Order  
7 barring all claims at Dkt. No. 30 should be amended to reflect the correct Official Number of  
8 the M/V LUCKY BUCK; (ii) the M/V LUCKY BUCK should be released from arrest so that  
9 it may be sold at private sale; and (iii) pursuant to Federal Rule of Civil Procedure 41(a)(1),  
10 this case should be dismissed without prejudice and without award of costs or attorneys' fees  
11 to either side.  
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14 **ORDER**  
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16 1. The Order at Dkt. 30 is VACATED, and the Court ORDERS as follows:  
17 Default is entered barring the claims of all persons, excepting the record owner Signature  
18 Seafoods, Inc., against the vessel M/V LUCKY BUCK, Official Number 567411.  
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20 2. The United States Marshal and Substitute Custodian appointed at Dkt. No. 9  
21 are ORDERED to release the M/V LUCKY BUCK from arrest.

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*STIPULATION AND ORDER TO RELEASE VESSEL  
FROM ARREST AND TO DISMISS CASE  
(2:17-CV-01724 RAJ) - 2*

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1           3. Pursuant to Fed. R. Civ. P. 41(a)(1), this case is DISMISSED without  
2 prejudice and without award of costs or attorneys' fees to either side. Nothing in in this Order  
3 shall operate to vacate any findings or conclusions reached by Court in this action.  
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5           SO ORDERED on this 2nd day of July, 2018.  
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10           The Honorable Richard A. Jones  
11           United States District Judge  
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